

**DECISION NOTICE  
and  
FINDING OF NO SIGNIFICANT IMPACT**

**for the  
WHITE BULL PROJECT  
Compartments 29, 30, 31, 34, 35, 38 and 49**

**USDA Forest Service  
Nantahala National Forest, Highlands Ranger District  
Macon and Jackson Counties, North Carolina**

**Decision and Rationale**

I have reviewed the Environmental Assessment (EA) for the White Bull Project and concur with its findings. Based on the analysis contained within this document and public comment, I have decided to implement the Proposed Action, Alternative B, with modifications described in this notice. This alternative moves the watershed toward desired conditions for timber, wildlife, and environmental restoration by providing for a long-term healthy forest condition, increased wildlife habitat diversity, and the permanent closure and rehabilitation of an eroding roadbed.

This decision includes the following activities, as summarized:

**Vegetation Management**

- Regenerate approximately 241 acres on 9 sites (Areas 1, 2A, 2B, 2D, 6, 7, 8, 9 and 11) using a two-aged harvest system. This will occur within portions of (Compartment number-stand number) 30-15; 31-3, 5, 7, 19; 35-14, 22 and 38-11, 14, 24. A leave basal area of approximately 30-40 square feet/acre will be left on 144 acres (Areas 1, 2, 6 and 7), located in Management Area 4A. A leave basal area of approximately 15-20 square feet/acre will be left on 97 acres (Areas 8, 9, 11), located in Management Area 3B. In all cases, mast producing hardwoods will be the preferred leave species, followed in order by non-mast producing hardwoods, and pines when no appropriate hardwoods are available.

**Changes from the Proposed Action:** The Proposed Action (Alternative B) called for approximately 307 acres of two-age regeneration. Of this, 120 acres occurred in Compartment 31, located in Management Area 4A. This equates to 15% of the total compartment acreage. In order to meet Forest Plan requirements for the percentage of early successional habitat in Management Area 4A (10% maximum), per compartment, Areas 2C and 4, located in Compartment 31 and totaling approximately 66 acres, were eliminated from regeneration in this decision.

Guidance for leave basal area can be found in the specific Management Area General Direction and Standards, and in Appendix E of the Forest Plan Amendment 5.

- Regenerate approximately 40 acres within a 180 acre block in Compartment-Stand 29-8, 9, 11, 12 and 31-11, 12 using a group selection harvest system.

**Changes from the Proposed Action:** Alternative B proposes 50 acres of group selection harvest in Areas 3 and 5. Group harvest in Area 3 will occur in forest types dominated by white pine. However, approximately 75% of Area 5, located in 29-10, is dominated by immature hardwoods with scattered pine. The Purpose and Need for Action (EA, Chapter 1.3) specifies the silvicultural need for the regeneration of mature white pine stands. To best meet the Purpose and Need for Action, Area 5, approximately 10 acres, has been removed from regeneration in this decision. This will also eliminate visual and physical impacts to the Glade Trail (Trail 430).

The two age and group harvest changes will result in the creation of early successional habitat in 4.2% of the total compartment acres (6.1% in acres suitable for timber management), and will meet early successional habitat constraints within any one compartment as required by the Forest Plan. The created habitat proposed in Alternative B is 6.3% of all compartment acres and 9.0% of all suitable acres.

- Reconstruction of approximately 0.5 miles of existing road (0.25 miles in 31-5, 0.25 mile in 38-24).

**Changes from the Proposed Action:** Elimination of Area 2C as described above will reduce the amount of road reconstruction needed along the access road into Area 2 from approximately 0.75 miles to 0.25 miles. Total road reconstruction for the project would be reduced from 1.0 miles proposed in Alternative B to 0.5 miles by this decision.

- Post-harvest site preparation, as needed, on all stands being regenerated.
- Enrichment tree planting on a wide spacing, as needed, for regeneration of oaks and other hardwoods.
- Timber stand improvement (TSI) on regenerated stands as needed.
- Crop tree release on approximately 95 acres in four stands. This would occur in Compartment-Stand 35-17, 19, 30 and 38-22.
- Eradication of invasive non-native plants.

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### **Terrestrial and Aquatic Wildlife Habitat Improvements**

- Construction of one two-acre wildlife field in Compartment-Stand 38- 23 (Area 10), and refurbishment of six additional existing fields, located in Compartments 29, 31 and 35.
- Seed skid roads and landings used during timber harvest with a wildlife seed mix.

- Improve aquatic habitat in Little Whitewater Creek in Compartment-Stand 38-14 (below Area 9).

### **Environmental Restoration**

- Permanently close and rehabilitate an eroding non-system road, located in Compartment-Stand 38-7 (east of Area 8).

### **Change in Effects from Modifying Alternative B**

The effects of implementing Alternative B as modified will only result in a minor change in effects from that described in the EA for Alternative B and didn't warrant creation of a new alternative and analysis of effects. Under the modified alternative, less acres will be disturbed resulting in decreased soil and wildlife effects. Additionally, less road reconstruction is required resulting in less disturbance and decreased opportunity of non-native invasive plants. More basal area will be left in some areas. Some areas will not be entered that were originally planned. There will be less visual effect to users of the Glade Trail. Somewhat less volume will be harvested and less early successional habitat will be created for dependent species.

### **Reasons for the Decision**

I have selected Alternative B as modified because it addresses concerns raised by members of the interdisciplinary team and the public, and improves the existing condition of the timber stands and wildlife habitat within the White Bull Project Area. More specifically, this alternative as modified:

- Contributes to accomplishing the forest management goals, objectives, and desired conditions of the Land and Resource Management Plan (Forest Plan) for the Nantahala and Pisgah National Forests as amended.
- Creates early-successional habitats that are well distributed throughout the area and moves the area toward a better distribution of early, mid, and mature successional stages for future decades.
- Creates conditions favorable for regeneration of oak species and uses site preparation methods that result in regeneration of desired tree species while protecting soil and water values.
- Allows only selective use of approved herbicides in an environmentally sound manner.
- Uses design features that protect the environment and maintain diversity.
- Protects the cultural resources and visual quality of the area in addition to rare animals, fish, and plants. It also protects water quality in the Chattooga and Whitewater River watersheds and associated riparian areas.

- Provides wood products to meet public demand within the local economy.

This decision is within my delegated authority as a Forest Service line officer (36 CFR Section 217.2) to make and execute decisions pertaining to the management of the Highlands Ranger District, Nantahala National Forest. Actions contained in Alternative B as modified are consistent with regulations under 36 CFR 219.27(b) dealing with the requirements of the National Forest Management Act (NFMA). These regulations set requirements for resource protection, vegetative manipulation, riparian areas, soil and water, and diversity.

### **Public Involvement**

Comments received throughout the analysis were considered in this decision. On May 9, 2005, a letter describing the proposal and requesting site-specific comments was mailed to 111 individuals and/or organizations on the Highlands Ranger District mailing list who had expressed interest in this part of the district or this type of project. A legal notice requesting comments was also published in *The Highlander* on May 13 and May 17, 2005. A press release was also issued in the *Cashiers Chronicle*. Notice of the project was included in the April 2005 and July 2005 editions of the Schedule of Proposed Activities, mailed to the National Forests of North Carolina mailing list and posted on the Forest website. Responses could be in written, electronic or verbal format. Four written responses and three electronic responses were received as a result of this initial scoping. Two additional individuals/groups provided comments on the project per telephone conversation.

The response to this initial scoping is addressed in Sections 1.5 through 1.7 of the White Bull EA. Two alternatives (Alternatives C and D) to the Proposed Action were developed and analyzed as a direct result from scoping responses.

On August 16, 2005 a pre-environmental assessment information package was sent to the respondents of the initial scoping. This package included detailed analysis of the Proposed Action and Alternatives to the Proposed Action, and an evaluation of the effects of the Alternatives to Threatened, Endangered and Sensitive species. A legal notice was also published in *The Highlander* newspaper on August 19, 2005, initiating a 30-day notice and comment period. A physical address for written comments and a website for electronic comments were provided. Official comments were accepted through the close of business on September 19, 2005. Fifteen responses were received; they are part of the project record. No additional issues were identified and no new alternatives were created in response to the comments received during the 30-day notice and comment period. Although some comments received were outside the scope of this project, many were used to modify Alternative B and shape this alternative.

### **Alternatives Considered**

In addition to Alternative A (No Action) and Alternative B (Proposed Action), two other alternatives were developed and analyzed in detail in the EA. These additional alternatives address the relevant issues and fulfill the purpose and need for action. All alternatives are briefly described as follows, and are fully described in Chapters 1 and 2 of the EA.

**Alternative A:** The interdisciplinary team considered the No Action Alternative, Alternative A, which would not implement the proposed activities. I considered Alternative A, but did not select it because it did not meet the purpose and need for action, which includes implementing Forest Plan direction for Management Areas 4A and 3B. This alternative was fully analyzed, and was used as a control with which to compare the other alternatives.

**Alternative B:** This alternative comprised the Proposed Action that was presented to the public during initial scoping.

**Alternative C:** Alternative C responded to a silvicultural re-assessment of Area 5 and concerns expressed about the integrity of the Glade Trail. Area 5 was deleted from the Proposed Action. All other project activities are as described in Alternative B.

**Alternative D:** Alternative D responded to concerns expressed about the amount of basal area left in the specific areas proposed for two age harvest by increasing the approximate residual basal area/acre from 15-20 to 30-40 in these areas. All other project activities are as described in Alternative B.

**Alternatives Considered but Eliminated From Detailed Study:** An alternative was requested during scoping that would facilitate rehabilitation and restoration of the environment and that proposed no further road building or logging. This alternative would include road closures and obliteration, watershed rehabilitation, means to eliminate man-made sediment sources and conversion of unnatural pine plantations to native hardwoods. This alternative was dropped from detailed study because portions of it are already incorporated in all 3 Action Alternatives and remainder did not meet the Purpose and Need for Action, nor was it consistent with Forest Plan standards and guidelines for Management Areas 3B and 4A.

### **Mitigation Measures**

Mitigation is defined as measures designed to reduce or prevent any undesirable effect that could be caused by an action. Mitigation can include avoiding an effect, minimizing the effect by limiting the action, rectifying the effect, reducing the effects through maintenance, or compensating for effects. No specific mitigation measures are listed for this project because they have already been incorporated into the design of Alternative B as modified.

The following incorporated design features will prevent or reduce adverse effects resulting from implementation of the selected alternative.

1. All trees marked for harvest adjacent to designated riparian areas or shade strips will be directionally felled away from the riparian area in accordance with provisions specified in the timber sale contract.
2. Residual tree selection will include oaks where appropriate.

3. All shaded rock outcrops containing MIS species saxifrages and alumroots will be excluded from management activities. Canopy cover will be maintained by an appropriate buffer.
4. Design features needed to meet Visual Quality Objectives can be found in the EA under Chapter 3.4.1, Scenery.
5. Retain holly and 4-inch+ diameter dogwood when possible during site preparation.
6. Landings and skid trails will be vegetated as soon as possible after use to avoid off-site soil movement.
7. Road reconstruction activities should be done in a manner that will avoid runoff into area streams. In addition, silt fence, straw bales, or brush barriers should be placed along the length of the road where it parallels or crosses a stream as needed to control runoff and stream sedimentation.
8. Where the terrain permits, the number of skidder crossings of ephemeral stream channels should be minimized. Logs should be moved to a centrally located crossing within the unit. Prior to timber harvest, the Timber Sale Administrator or other designated Forest Officer, will approve such locations.

### **Findings Required by Other Laws and Regulations**

The National Forest Management Act (NFMA) requires specific determinations in this Decision Notice including consistency with the existing Forest Plan. Vegetation management practices in this project occur on lands identified in the Forest Plan as being suitable for timber production, as required by 36 CFR 219.14. The actions are consistent with the Forest-wide Management goals, standards, and guidelines and Management Objectives as stated in Chapter III of the Forest Plan for Management Areas 4A and 3B. This project is reasonable and feasible and results in applying management practices that meet the Forest Plan's overall direction of protecting the environment while producing goods and services.

It has been determined that, for Compartments-Stands 30-15; 31-3, 5, 7, 19; 35-14, 22 and 38-11, 14, 24 (two-age), and 29-8, 9, 11, 12 and 31-11, 12 (group selection), these are appropriate methods of stand regeneration to meet the Forest Plan's objectives and requirements (36 CFR 219.15). These methods also meet the objectives and requirements of the Forest Plan and of 36 CFR 219.27(d) with respect to location and size of openings.

The actions of this alternative will assure that lands harvested will be adequately restocked within five years, except where permanent openings are created for wildlife habitat improvements.

The actions of this project which alter vegetation comply with the seven requirements of 36 CFR 219.27(b) by following the Forest-wide General Direction and Standards, as well as the General Directions and Standards for the Management Areas previously mentioned.

The proposed actions are not likely to adversely affect Proposed, Endangered, Threatened, or Sensitive plants and animals as referenced in the Biological Evaluation.

This project is not expected to cause any adverse affects on Heritage Resources. The Forest Service Archaeologist has reviewed this project and determined that it is not likely to affect cultural resources, as documented in the project file.

State Best Management Practices (BMPs) for water quality will be followed for the project.

There are no significant irreversible or irretrievable resource commitments.

### **Finding of No Significant Impact**

I have determined that the actions of this project are not a major federal action, individually or cumulatively, and will not significantly affect the quality of the human environment. Therefore, an environmental impact statement is not needed. This determination is based on the following factors concerning the context and intensity of the expected impacts (40 CFR 1508.27):

1. Both beneficial and adverse effects have been considered and this action will not have a significant effect on the human environment (White Bull Project EA, Chapter 3).
2. The actions will not have a significant effect on public health and safety (White Bull Project EA, Chapter 3.4.4; FEIS for Vegetation Management in the Appalachian Mountains, Appendix A).
3. The project will not significantly affect any unique characteristics of the geographic area such as proximity to historic or cultural resources, wetlands, floodplains, wild and scenic rivers, or ecologically critical areas (White Bull Project EA, Chapter 3).
4. The effects on the quality of the human environment are not likely to be highly controversial (White Bull Project EA, Chapter 3).
- ~~5. The actions do not involve highly uncertain, unique, or unknown environmental risks to the human environment (White Bull Project EA; Chapter 3).~~
6. The actions in this decision will not establish a precedent for future actions with significant effects nor does it represent a decision in principle about a future consideration.

7. Based on analysis in the EA and knowledge of similar projects on adjacent public and private lands, there are no known significant cumulative effects of this project (White Bull Project EA; Chapter 3).
8. No effects are anticipated to any cultural resources listed in, or eligible for, inclusion in the National Register of Historic Places, nor will there be a loss or destruction of significant scientific, cultural, or historic resources (White Bull Project EA; Chapter 3.4.3).
9. Threatened or endangered plant or animal species are not likely to be adversely affected. (White Bull Project EA, Appendix B). This includes MIS migratory avian species.
10. None of the actions threaten to lead to violation of federal, state, or local laws imposed for the protection of the environment.

**Appeal, Administrative Review, and Implementation**

This decision is subject to appeal pursuant to 36 CFR 215.11. Any appeal of this decision must be fully consistent with 36 CFR 215.14, "Content of an Appeal", including the reasons for appeal, and must be filed with the Appeal Deciding Officer at this address: Forest Supervisor, USDA Forest Service, P.O. Box 2750, Asheville NC 28802-2750. Appeals also may be faxed to (828)-257-4263 or electronically filed by sending them to [appeals-southern-north-carolina@fs.fed.us](mailto:appeals-southern-north-carolina@fs.fed.us). Hand-delivered appeals must be received to the Asheville Forest Service Supervisor's Office at 160A Zillicoa Street within normal business hours of 8:00 a.m. to 4:30 p.m. Monday through Friday. Appeals must be postmarked or received no later than 45 days, beginning the day after the legal notice of this decision is published in *The Highlander*, Highlands, North Carolina.

If no appeal is received, implementation of this decision may occur on, but not before, five business days from the close of the appeal filing period. If an appeal is received, implementation may not occur for 15 days following the date of appeal disposition (36 CFR 215.9).

For further information regarding this decision, contact Charlie Possee, Nantahala National Forest, Highlands Ranger District, 2010 Flat Mountain Road, Highlands, North Carolina 28741 or telephone (828)526-3765.

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ERIN M. BRONK  
District Ranger

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Date

Note: Signed Date  
was 9/30/05  
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